

LOUISIANA STADIUM AND EXPOSITION DISTRICT
BOARD OF COMMISSIONERS MINUTES
FROM THE MEETING OF MARCH 25, 2015 MEETING

PRESENT: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts

ABSENT: Julio Melara, Bill Windham

I. ROLL CALL and WELCOME

Chairman Forman called the meeting to order. Present were Commissioners Brignac, Bruno, Patterson, Roberts and Forman. Absent were Commissioners Melara and Windham. There was a quorum for the meeting.

Chairman Forman advised the public of its right to speak between each agenda item and at the end of the meeting.

On motion of Commissioner Roberts, seconded by Commissioner Bruno, the Minutes of the February 25, 2015 Board Meeting were adopted. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham.

II. SMG REPORT

The SMG Report was led by Doug Thornton. Mr. Thornton reported on the following topics: a general increase in hotel tax collections; participation in the State Budget hearings and budgeting process; future capital improvements at the Superdome and the Smoothie King Center in cooperation with the Saints and Pelicans; the potential for an energy efficiency conversion to create energy savings; and the general process by which an energy efficiency conversion project would be handled.

Evan Holmes then addressed a number of SMG and LSED topics including: Capital Outlay requests for 2015; House Bill 2; capital improvements at TPC-Louisiana; funding for the Alario Center and Zephyr Field; and the introduction of Austin Stockwell as a new analyst on the SMG Team.

Alan Freeman then took the lead on recent event activity on the LSED campus including: seven Pelicans home games; concerts by Journey, Charlie Wilson, Chris Brown and Stevie Wonder; the Home and Garden Show; ArenaCross; playoff planning for the Pelicans; the Champions Square concert series; preparations for a response to the RFP for the College Football Championship Game Series in 2018, 2019 and 2020; the possibility of WrestleMania returning in the future; and promotional pieces created in-house by the SMG Staff under Jennifer Cooke's direction. Also, Nate Butler (Director of Operations and Engineering) has taken another position and SMG is beginning a search for his replacement.

III. FINANCE REPORT

David Weidler then provided the Financial Report including: the hotel/motel tax is tracking higher than the same period last year; the Superdome is tracking better than budget as is the Smoothie King Center. Expenses are on budget for the Superdome and expenses are down at the Smoothie King Center. Mr. Weidler is projecting an excess cash reserve for the current fiscal year to be used for future capital projects.

IV. CONSTRUCTION REPORT

The Construction Report was then provided by Pat Tobler. At Zephyr Field, the capital projects include upgrades for sun shading, drink rails, and ADA seating. At TPC-Louisiana, clubhouse improvements are nearing completion and tournament preparation is underway. At the Superdome, the energy efficiency conversion project is about to begin; and infrastructure improvements for a new HD room are underway. At the Smoothie King Center,

the project is being closed out with punch list items remaining. At the Alario Center, the sports lighting project has been awarded to HTE; the scoreboard project will be re-advertised as the initial bids came in over budget; and potential repairs to the kitchen facility at the Alario Center are being studied.

V. LEGAL REPORT

Mr. Roedel then provided the Legal Report which included 19 separate Resolutions for LSED consideration.

On motion of Commissioner Roberts, seconded by Commissioner Bruno, the LSED authorized and approved a Change Order of \$44,015 pursuant to the Contract between the LSED and Hi-Tech Electric for the LED Sports Lighting Project at the Alario Center. The funding source is Capital Outlay, sufficient funds exist to support the Resolution, and the Resolution has the Staff Analysis support of The Tobler Company. Chairman Forman and/or Pat Tobler are authorized to sign the Change Order, which will then be recorded in the public records of Jefferson Parish. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-13** passed.

On motion of Commissioner Bruno, seconded by Commissioner Roberts, the LSED authorized and approved a Purchase Requisition for \$64,543, payable to the Solomon Group, for Flat Screen Digital Advertising Boards at the Alario Center. The funding source is Capital Outlay. Sufficient funds exist to support the Resolution, and Pat Tobler's signature on the Purchase Requisition is authorized and ratified. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-14** passed.

On motion of Commissioner Roberts, seconded by Commissioner Brignac, the LSED authorized and approved an Amendment to the existing Eskew+Dumez+Ripple Contract for consulting services at the Alario Center to include a Code Analysis & Repair Plan for a not to exceed fee of \$8,700, based on hourly rates, with sufficient funding from Capital Outlay proceeds. Chairman Forman and/or Pat Tobler will be authorized to sign the Amendment for the LSED. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-15** passed.

On motion of Commissioner Bruno, seconded by Commissioner Patterson, the LSED authorized and approved a Purchase Requisition for \$10,675, payable to Durr Heavy Construction, for upgrades at the TPC-Louisiana facility including grading and limestone compacting. The source of funds is Capital Outlay and sufficient funds exist to support the Resolution. The Resolution has the Staff Analysis support of The Tobler Company and Pat Tobler's signature is authorized and ratified. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-16** passed.

On motion of Commissioner Brignac, seconded by Commissioner Patterson, the LSED authorized and approved two Change Orders, pursuant to the Contract between the LSED and Dynamic Constructors, LLC for the Enhancements Project at TPC-Louisiana. Change Order No. 001 reduces the Contract Sum by \$6,100 by eliminating Alternate No. 2. Change Order No. 002 increases the Contract Sum by \$3,366.52 for HVAC repairs. The funding source is Capital Outlay and sufficient funds exist to support the Resolution. The Resolution has the Staff Analysis support of The Tobler Company. Pat Tobler and/or Chairman Forman are authorized to sign these Change Orders, which will then be recorded in the Jefferson Parish public records. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-17** passed.

On motion of Commissioner Brignac, seconded by Commissioner Patterson, the LSED authorized and approved a Certificate of Substantial Completion in favor of Dynamic Constructors, LLC under its Contract with the LSED for the Enhancements Project at the TPC-Louisiana facility. This Resolution has the recommendation of The Tobler Company and Gould Evans Associates. Pat Tobler's signature on the Certificate is authorized and ratified with recordation of the Certificate to follow in the public records of Jefferson Parish. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-18** passed.

On motion of Commissioner Bruno, seconded by Commissioner Patterson, the LSED authorized and approved two Change Orders pursuant to the Contract between the LSED and CM Combs Construction for the Capital Enhancements – Phase 1 Project at Zephyr Stadium. Change Order No. 001 increases the Contract Sum by \$4,221 for the purchase and installation of handrails. Change Order No. 002 increases the Contract Sum by \$3,570 to replace conduit and wiring. The source of funding is Capital Outlay and sufficient funds exist to support the Resolution. The Resolution has the Staff Analysis support of The Tobler Company. Chairman Forman and/or Pat Tobler are authorized to sign these Change Orders after which recordation will take place in the Jefferson Parish public records. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-19** passed.

On motion of Commissioner Bruno, seconded by Commissioner Brignac, the LSED authorized and approved a Certificate of Substantial Completion in favor of CM Combs Construction as its work on the Capital Enhancements – Phase 1 Project at Zephyr Stadium is coming to an end. This Resolution has the recommendation of The Tobler Company and the LSED Architect, Billes Partners. Pat Tobler's signature is authorized and ratified, with recordation of the Certificate to follow in the public records of Jefferson Parish. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-20** passed.

Following discussion by Mr. Roedel, on motion of Commissioner Bruno, seconded by Commissioner Patterson, the LSED authorized and approved the close out of the Agreement between the LSED and Citadel Builders for the New Orleans Arena Enhancements-2012 Project. This Resolution reconfirms prior GMP Adjustments; approves Change Order Nos. 001 through 140 with the titles, amounts and contract values as set forth in the schedule; it confirms that the combination of the GMP Adjustments and Change Orders helps satisfy deferred maintenance projects that are the contractual responsibility of the LSED under Section 5.5.2 Deferred Maintenance of the Amended and Restated Arena Use Agreement for the New Orleans Arena (and now Smoothie King Center). It reconfirms the completion of the Project and it approves the issuance of the Certificate of Substantial Completion in favor of Citadel Builders to be signed by Pat Tobler and then to be recorded in the public records of Orleans Parish. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-21** passed.

On motion of Commissioner Roberts, seconded by Commissioner Brignac, the LSED authorized and approved a Purchase Requisition for \$5,787 to SAS Mechanical for the HVAC system in the SMG Boardroom. The funding source is the LSED R & R Account and sufficient funds exist to support the Resolution. The Resolution has the Staff Analysis support of The Tobler Company and Pat Tobler's signature is authorized and ratified. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-22** passed.

On motion of Commissioner Brignac, seconded by Commissioner Patterson, the LSED authorized and approved a Third Party Custodian Agreement among and between the LSED, Capital One and the Bank of New York-Mellon for the general purpose of maintaining the LSED's deposits in those banking institutions. The Resolution authorizes Doug Thornton, Alan Freeman and David Weidler to act as agents and representatives for the LSED in delivering instructions to these banks for the LSED. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-23** passed.

Following discussions among the Commissioners, Pat Tobler and Doug Thornton, on motion of Commissioner Bruno, seconded by Commissioner Roberts, the LSED authorized and approved an allocation of \$10,000 from the LSED's R & R Account to cover a small amount of property damage caused by water intrusion to the Sunbelt Conference Office space. The Resolution has the Staff Analysis support of The Tobler Company. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-24** passed.

On motion of Commissioner Bruno, seconded by Commissioner Brignac, the LSED authorized and approved a Purchase Requisition of \$10,000 to All Star, Inc. for renovations to the HD Control Room. The source of funding is SMG's contribution to the LSED. The Resolution has the Staff Analysis of The Tobler Company and Pat Tobler's signature is authorized and ratified. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-25** passed.

On motion of Commissioner Bruno, seconded by Commissioner Roberts, the LSED authorized and approved a Purchase Requisition for \$15,000 to James Chustz for additional HD Control Room renovations. The funding source is SMG's contribution to the LSED. The Resolution has the Staff Analysis support of The Tobler Company and Pat Tobler's signature is authorized and ratified. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-26** passed.

On motion of Commissioner Roberts, seconded by Commissioner Patterson, the LSED authorized and approved a Capital Reserve Account appropriation of \$42,496. The funding source is the LSED Capital Reserve Account and the funds are to be used to purchase equipment that is needed for repairs and maintenance to the Superdome. This Resolution covers three Purchase Requisition invoices: \$22,730 to Gallo Mechanical Services; \$12,255 to Airpro Services; and an additional \$7,511 to Airpro Services. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-27** passed.

Following discussion by Mr. Roedel, Resolutions under Tabs 20 and 21 were taken together. On motion of Commissioner Bruno, seconded by Commissioner Brignac, these Resolutions approved and confirmed that SMG's \$5M contribution to the LSED is in place so that the Contracts with Trahan Architects, which were approved on February 25, 2015, conditioned upon confirmation of funding will reflect: "The source of funding for this Project will be monetary contributions by the New Orleans Saints Organization and/or by SMG". Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. **Motion 15-28 and motion 15-29** were passed.

Following discussion by Mr. Roedel including a reading of the Resolution into the record, on motion of Commissioner Bruno, seconded by Commissioner Roberts, the LSED authorized and approved a Memorandum of Understanding among and between the New Orleans Louisiana Saints, LLC, the LSED and SMG for the funding and development of certain capital projects at the Mercedes Benz Superdome. Chairman Forman is authorized to sign the Memorandum of Understanding, once it is in final form, and following final approval by the LSED's Legal Counsel, by SMG, and by Chairman Forman, and then to be ratified at a subsequent LSED public meeting. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-30** passed.

Following discussion by Mr. Roedel, on motion of Commissioner Patterson, seconded by Commissioner Brignac, the LSED authorized and approved a Memorandum of Understanding among and between the New Orleans NBA Pelicans, LLC, the LSED and SMG for the funding and development of certain capital projects at the Smoothie King Center. Chairman Forman is authorized to sign the Memorandum of Understanding, once in final form, and following final approval by the LSED's Legal Counsel, by SMG and by Chairman Forman, and then to be ratified at a subsequent LSED meeting. Voting in Favor: Ron Forman, J.E. Brignac, Robert Bruno, Gregg Patterson, Dave Roberts. Voting Against: None. Abstaining: None. Absent: Julio Melara and Bill Windham. The **motion 15-31** passed.

Mr. Thornton then provided additional context concerning the two Resolution Nos. 15-30 and 15-31. Following that discussion, there was no public comment.

VI. BOARD REPORTS

None.

VII. OTHER BUSINESS

There was no need for an Executive Session. The Louisiana Sports and Entertainment District meeting was cancelled.

There were no additional speakers from the general public.

VIII. ADJOURNMENT

This concluded the business at the LSED Public Meeting. On motion of Commissioner Brignac, it was moved to adjourn the public meeting, which motion was adopted unanimously.